

**MEMORANDUM**

**April 10, 2013**

**TO:** The Honorable Chair and Members of The School Board of Miami-Dade County, Florida

**FROM:** Alberto M. Carvalho, Superintendent of Schools *AMC*

**SUBJECT:** **AUTHORIZATION FOR RETENTION OF OUTSIDE LEGAL COUNSEL IN TWO CIRCUIT COURT CASES (NO. 13-01661 CA 13; NO. 13-01659 CA 23)**

At the request of Mr. Walter J. Harvey, School Board Attorney, the attached Agenda Item G-3 is being withdrawn from the April 17, 2013 Agenda for further consideration.

If you require additional information, please contact Mr. Walter J. Harvey, School Board Attorney, at 305-995-1303.

AMC:dnl  
M988  
Attachment

Cc: School Board Attorney  
Superintendent's Cabinet

Office of Superintendent of Schools  
Board Meeting of April 17, 2013

April 2, 2013

Office of School Board Attorney  
Walter J. Harvey, School Board Attorney

**SUBJECT: AUTHORIZATION FOR RETENTION OF OUTSIDE LEGAL COUNSEL  
IN TWO CIRCUIT COURT CASES (NO. 13-01661 CA 13; NO. 13-01659  
CA 23)**

On March 8, 2013, the School Board was served with two lawsuits alleging, among other things, violations of the Florida Civil Rights Act of 1992, and Title VII of the Civil Rights Act of 1964. These lawsuits involve allegations that the individually named defendant engaged in inappropriate conduct in violation of state and federal laws.

In accordance with School Board Policy 9605, and the authority granted § 1012.26, Fla.Stat. (2012), the Board Attorney requests that the Board authorize the retention of Ms. Marilyn J. Holifield to represent the School Board and several of the defendants in this case. Ms. Holifield is a partner with the firm of Holland & Knight, LLP, a graduate of Harvard Law School with over thirty (30) years of experience, and specializing in labor and employment matters.

This item seeks approval of said representation at the established rate of \$450 per hour for Ms. Holifield and at a rate of \$350.00 per hour for partners of the firm, and upon prior written approval from the School Board Attorney, services may be provided at a rate of \$250.00 per hour for associates of the firm, and \$125.00 per hour for paralegals of the firm. The costs of this litigation will be funded through the District's Risk Management Loss Fund.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, authorize the retention of Ms. Marilyn J. Holifield, Esquire, a partner with the law firm of Holland & Knight, LLP, to represent the School Board in the two Circuit Court Cases (numbered 13-01661 CA 13 and 13-01659 CA 23), at the rate of \$450 per hour for Ms. Holifield, and at a rate of \$350.00 per hour for partners of the firm, and upon prior written approval from the School Board Attorney, services may be provided at a rate of \$250.00 per hour for associates of the firm and \$125.00 per hour for paralegals of the firm.

G-3

Withdrawn  
April 10, 2013